

REMARKS

Claim 1 has been amended to include the recitations of claim 2, which has been canceled. Additional support for the amendments to claim 1 can be found, for example, on page 19, line 21 to page 20, line 7 of Applicants' specification.

Upon entry of the Amendment, claims 1 and 3-7 will be pending.

Claims 1, 6, and 7 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Yamamoto, WO 01/16219 ("Yamamoto") (with U.S. Patent No. 6,559,195 as the English language equivalent).

Claims 1-2 and 6-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamamoto.

Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamamoto.

Claim 1 has been amended to include the recitations of claim 2. Claim 2 has not been rejected under 35 U.S.C. § 102 based on Yamamoto. Therefore, Applicants submit that claim 1, as amended, is not anticipated by Yamamoto. Claims 3-7 depend directly or indirectly from claim 1. Thus, claims 3-7 are not anticipated by Yamamoto at least by virtue of their dependency on claim 1.

The Examiner maintains his position that that the claimed elastic recovery rate would be inherent in the disclosure of Yamamoto because Yamamoto discloses measuring a shrinkage

ratio, (R), where (R) is calculated using the equation $(R) = 100 * (P0 - P1)/P0$ wherein P0 is the number of picture elements before shrinkage and P1 is the number of picture elements after shrinkage (col. 8, line 59 to col. 9, line 8). The Examiner asserts that because Yamamoto discloses that the shrinkage rate is 9% to 10% (col. 12, Table 1), that the claimed elastic recovery rate would be inherent in the porous films disclosed in Yamamoto.

Applicants disagree with the Examiner's assertion that the "elastic recovery rate" would be inherent in the disclosure of Yamamoto because Yamamoto discloses measuring a "shrinkage ratio." Applicants maintain that "shrinkage rate" disclosed in Yamamoto is not directly related to "elastic recovery rate" as claimed in the present invention. Accordingly, Applicants submit that Yamamoto does not inherently disclose the claimed elastic recovery rate.

Additionally, with respect to claim 2, the Examiner asserts that Yamamoto teaches pressing until the desired thickness is achieved. Therefore, the Examiner maintains his position that time is a result-effective variable which can be optimized in order to achieve the desired thickness.

A particular parameter must first be recognized as a result-effective variable before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation.

As previously argued, Applicants maintain that "rolling time" in claim 2 is not a result effective variable.

As shown in Example 3 and Comparative Example 2, both having the time of 1 minute, in the present specification, even if the target thickness of the resulted sheets are different, the

times could be set as the same. That is, the time cannot simply be optimized based on a target thickness. Additionally, Applicants submit that the comparison between Example 3 and Comparative Example 2 in needle penetration strength exhibits unexpected results. Therefore, the variable “k” is not a result-effective variable.

In response to Applicants’ arguments the Examiner points to Yamamoto’s teaching “until” at column 9, lines 29-30 as evidence that one of ordinary skill would optimize time based on the teachings of Yamamoto. However, Applicants disagree with the Examiner’s assertion. In column 9, lines 29-30, Yamamoto teaches “until the thickness is 0.4 to 0.6 mm.” Thus, Yamamoto may teach optimizing sheet thickness, but time cannot simply be optimized based on a target thickness. Therefore, Applicants submit that claim 1, as amended would not be obvious over Yamamoto. As stated above, claims 3-7 depend directly or indirectly from claim 1 and thus these claims would not be obvious based on Yamamoto at least by virtue of their dependency.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw each of the foregoing rejections.

Claims 3-5 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamamoto in view of Oizumi, JP 2000-230072 (“Oizumi”).

Yamamoto is silent as to the particular roller type double belt pressing machine and one in which heat rolling and cold pressurizing are carried out within one belt pressing machine, which the Examiner admits.

The Examiner turns to Oizumi to supplement the deficiencies of Yamamoto. The Examiner asserts that Oizumi teaches in paragraph [0030] pressure type double belt pressing and

successively hot rolling and cool rolling. The Examiner asserts that it is unclear whether Oizumi teaches these steps performed “within one belt pressing machine.” However, the Examiner takes the position that the use of a single belt would not materially change or distinguish the claimed method from that of Yamamoto and Oizumi.

As discussed above, Yamamoto does not disclose or suggest Applicants claimed elastic recovery rate or Applicants’ claimed rolling coefficient “k”, as recited in Applicants’ claim 1. Therefore, Yamamoto and Oizumi fail to disclose or suggest all the elements of Applicants’ claimed invention and thus the claimed invention would not be obvious based on the combination of Yamamoto and Oizumi.

The Examiner asserts that Yamamoto teaches heated compression within the claimed temperature range (col. 9, lines 29-30) and cold pressurizing at 40°C or lower, as recited in Applicants’ claim 5 (col. 9, lines 25-27).

Claim 5 is directed to a process of producing films as claimed in claim 4, wherein the heat rolling is carried out at a temperature between (the melting point of the polyolefin resin – 30°C) and (the melting point of the polyolefin – 10°C), and the cold pressurizing is carried out at 40°C or lower.

The Examiner refers to the description at col. 9, lines 25-27 of Yamamoto (page 6 of the Office Action) as teaching the subject matter of Applicants’ claim 5, but Applicants submit that the description at col. 9, lines 25-27 of Yamamoto merely teaches that the cooling is carried out before the heat-pressing and does not teach the claimed step, i.e., that the cooling is carried out

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Amendment under 37 C.F.R. § 1.111

after the rolling. Therefore, Applicants submit that Yamamoto does not disclose or suggest Applicants' claimed invention in which cold pressurizing is carried out after heat rolling.

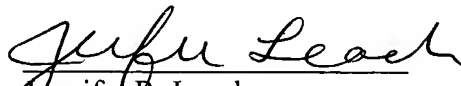
Oizumi does not make up for the deficiencies of Yamamoto.

In view of the foregoing, Applicants submit that the claimed invention would not be obvious based on Yamamoto and Oizumi. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Jennifer R. Leach
Registration No. 54,257

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

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